## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:06CV00252-MU

INNOVA PLAN STRATEGIES, I	LLC, )
Plaint	) iff, )
<b>v.</b>	) ) ORDER
STANDARD INSURANCE COM	PANY, )
Defen	dant.
	)

**THIS MATTER** is before the Court upon Defendant's Motion to Strike (Document #14).

It appears to this Court that the Plaintiff did not ever receive notice of Defendant's Motion to Dismiss.

IT IS THEREFORE ORDERED that Defendant's Motion to Strike is hereby DENIED.

IT IS FURTHER ORDERED that the Defendant reply to the Plaintiff's Response to Motion to Dismiss (Document #13) within fourteen (14) days of this order, pursuant to Local Rule 7.1(b) of the Rules of Practice and Procedure of the United States District Court for the Western District of North Carolina.

Signed: December 18, 2006

Graham C. Mullen

United States District Judge